

REMARKS

STATUS OF THE CLAIMS

In accordance with the foregoing, claims 1, 2, 6 and 7 have been amended. Claims 1-7 are pending and under consideration.

No new matter is being presented, and approval of the amended claims is respectfully requested.

REASONS FOR ENTRY

Applicants request entry of this Rule 116 Response and Request for Reconsideration because the amendments were not earlier presented because the Applicants believed in good faith that the cited prior art did not disclose the present invention as previously claimed; the amendments of claims 1, 2, 6 and 7 should not entail any further search by the Examiner since the amendments do not significantly alter the scope of the claims.

Further, the amendments place the application at least into a better form for appeal. The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

CLAIM OBJECTIONS

On page 2, item 2, of the Action, the Examiner objects to claims 2-6, stating that the preamble of independent claim 2 is unclear. Claim 2 is amended herein and, as a result, it is respectfully submitted that the objection is overcome. Accordingly, the objections of dependent claims 3-6 should also be respectfully overcome.

REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH

On page 2, item 4, of the Action, the Examiner rejects claims 2-7 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Claims 2 and 7 are amended herein to recite, "when messages so transmitted to the plurality of objects". Therefore the rejections of claims 2 and 7, along with dependent claims 3-6, are respectfully traversed.

NON-STATUTORY DOUBLE PATENTING REJECTION

At pages 3-4, items 5-6, of the Action, the Examiner maintains the rejection of claims 1-7 under the judicially created doctrine of obviousness-type double patenting, as being unpatentable over claims 1-22 of U.S. Patent No. 6,622,143.

A Terminal Disclaimer, in compliance with 37 CFR 1.321(c) is filed concurrently herewith. Therefore, the non-statutory double patenting rejection is respectfully overcome.

REJECTIONS OF CLAIMS 1, 2, 4 AND 7 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER COBBAERT ET AL. (U.S. 2003/0079046)

The rejections of claims 1, 2, 4 and 7 are respectfully traversed and reconsideration is requested.

Cobbaert et al. (hereinafter "Cobbaert") is directed to a method and apparatus for accessing the continuation between one program object and another program object by a type of continuation. That is, a message is delivered to a second program object from a first program object, and the result of the execution of the program function of the second program object is delivered to a further program object identified by the continuation type. ([0008]-[0017]). Therefore, the method disclosed by Cobbaert requires that the message be directed to each individual program object, in accordance with a predetermined continuation type.

In contrast, the present invention, in amended claim 1, recites in response to the performing one or more operations at the third computer, generating a transmission, *sent via a communication path common to the first, second and third computers*, comprising indicia of the one or more performed operations and information operated on by each of the one or more operations; and receiving the transmission at the first and second computers *via the communication path*, as recited in amended claim 1.

That is, according to the present invention, the transmission is simply sent to a common communication path, so that all objects (computers) on the communication path can access the transmission. Thus, the present invention does not require specifically directing a message to each individual object, as required by Cobbaert.

Therefore, it is respectfully submitted that amended independent claim 1 patentably distinguishes over the prior art.

Similarly, independent claim 2 recites when original operations are executed, transmitting messages on a communication path, common to a plurality of objects, whereby the plurality of objects receive the messages, where the messages have a format shared by the objects, and where each message indicates the operation type of its corresponding executed operation.

Independent claim 7 recites means for, when original operations are executed, transmitting messages on a communication path, common to a plurality of objects, whereby the plurality of objects receive the messages, where the messages have a format shared by the plurality of objects, and where each message indicates the operation type of its corresponding executed operation.

Therefore, it is respectfully submitted that amended independent claims 2 and 7 patentably distinguish over the prior art, for at least the reasons provided above for independent claim 1.

Claim 4 depends from claim 2 and inherits the patentability thereof. Thus, it is respectfully submitted that dependent claim 4 patentably distinguishes over the prior art.

REJECTIONS OF CLAIMS 3, 5 AND 6 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER COBBAERT AS APPLIED TO CLAIM 2 IN VIEW OF HAO ET AL. (U.S. PATENT NO. 5,844,553)

Claims 3, 5 and 6 depend from claim 2 and inherit the patentability thereof. Thus, the rejections of claims 3, 5 and 6 are respectfully traversed for at least the reasons provided above for independent claim 2.

It is further submitted that Hao et al. does not teach or even suggest the recitations of independent claim 2, described above.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being not further outstanding objections or rejections, it is submitted that the application is in condition for allowance.

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If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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